

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN**

---

Shawnie Vedder,

Plaintiff,

v.

Credit Acceptance Corporation,

Defendant.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Civil Action No.: \_\_\_\_\_

**DEMAND FOR JURY TRIAL**

**COMPLAINT & JURY DEMAND**

For this Complaint, Plaintiff, Shawnie Vedder, by undersigned counsel, states as follows:

**JURISDICTION**

1. This action arises out of Defendant's repeated violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (the "TCPA").
2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that Defendant transacts business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

**PARTIES**

3. Plaintiff, Shawnie Vedder ("Plaintiff"), is an adult individual residing in Shelton, Washington, and is a "person" as defined by 47 U.S.C. § 153(39).
4. Defendant Credit Acceptance Corporation ("CAC"), is a Michigan business entity with an address of 25505 West 12 Mile Road, Southfield, Michigan 48034-8316, and is a "person" as defined by 47 U.S.C. § 153(39).

**FACTS**

5. Within the last year, CAC began calling Plaintiff's cellular telephone, number 360-xxx-3799, in an attempt to reach "Josh Middleton". Plaintiff does not know this individual.

6. At all times mentioned herein, CAC called Plaintiff's cellular telephone number using an automatic telephone dialing system ("ATDS" or "predictive dialer") and/or using an artificial or prerecorded voice.

7. CAC left prerecorded voicemail messages on Plaintiff's cellular telephone number.

8. Plaintiff did not provide her cellular telephone number to CAC and never provided her consent to receive automated calls from CAC.

**COUNT I**  
**VIOLATIONS OF THE TCPA –47 U.S.C. § 227, et seq.**

9. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

10. At all times mentioned herein, Defendant called Plaintiff's cellular telephone number using an ATDS or predictive dialer and/or using a prerecorded or artificial voice.

11. The telephone number called by Defendant was assigned to a cellular telephone service for which Plaintiff incurs charges pursuant to 47 U.S.C. § 227(b)(1).

12. Plaintiff was annoyed, harassed and inconvenienced by Defendant's continued calls.

13. The calls from Defendant to Plaintiff were not placed for "emergency purposes" as defined by 47 U.S.C. § 227(b)(1)(A)(i).

14. Plaintiff is entitled to an award of \$500.00 in statutory damages for each call placed in violation of the TCPA pursuant to 47 U.S.C. § 227(b)(3)(B).

15. Plaintiff is entitled to an award of treble damages in an amount up to \$1,500.00 pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that judgment be entered against Defendant:

1. Statutory damages of \$500.00 for each violation determined to be negligent pursuant to 47 U.S.C. § 227(b)(3)(B);
2. Treble damages for each violation determined to be willful and/or knowing pursuant to 47 U.S.C. § 227(b)(3)(C); and
3. Such other and further relief as may be just and proper.

**TRIAL BY JURY DEMANDED ON ALL COUNTS**

Dated: December 28, 2016

Respectfully submitted,

By: /s/ Sergei Lemberg, Esq.  
Attorney for Plaintiff Shawnie Vedder  
LEMBERG LAW, L.L.C.  
43 Danbury Road, 3rd Floor  
Wilton, CT 06897  
Telephone: (203) 653-2250  
Facsimile: (888) 953-6237  
Email: [slemberg@lemborglaw.com](mailto:slemberg@lemborglaw.com)